



General Assembly

Substitute Bill No. 6608

January Session, 2009

* _____ HB06608ET _____ 031909 _____ *

**AN ACT CONCERNING CONSUMER PROTECTION IN
TELECOMMUNICATIONS COMPANIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16-247p of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Not later than [April 1, 2000] August 1, 2009, the Department of
4 Public Utility Control shall, by regulations adopted pursuant to
5 chapter 54, establish quality-of-service standards that shall apply to all
6 telephone companies and certified telecommunications providers and
7 to all telecommunications services offered in the state, whether
8 competitive, noncompetitive or emerging competitive. All standards
9 shall apply to both business and residential customers, but shall be
10 measured and met for business and residential customers separately.
11 Such standards shall be measured monthly and include, but not be
12 limited to: [, measures relating to] (1) For customer trouble [reports,
13 service outages,] report calls and customer service center calls, a
14 specified maximum allowable average holding time before a call is
15 answered by a live representative or, for customers choosing to use an
16 automated system, a maximum allowable holding time before the
17 system takes the caller's information, (2) for number of customer
18 troubles, a maximum allowable number of troubles per one hundred
19 lines, (3) for installation intervals, a maximum allowable time between

20 ordering and the in-service date, (4) for installation appointments met,
21 a maximum allowable percentage of missed appointments based on
22 the number of installation service orders for the time period, (5) for
23 [and] repeat problems, [as well as] a maximum number of times within
24 three months that a customer shall experience line troubles or billing
25 and customer service errors, (6) for response timeliness, [in
26 responding] a specified maximum amount of time for the company to
27 respond to complaints or reports, whether from the customer, the
28 department or the Office of Consumer Counsel, and (7) for out-of-
29 service repair, a requirement that ninety per cent of such repairs shall
30 be made within seventy-two hours of the company's or provider's first
31 notification of the outage. Such standards shall also include a
32 requirement for each company or provider to include on its monthly
33 bills the telephone number for the department's customer service unit.
34 The department shall [include with the quality of service standards
35 methodologies for monitoring] monitor compliance with and
36 [enforcement of] enforce such standards. Such monitoring shall
37 include, but not be limited to, monthly reports by the companies and
38 providers to the department containing performance results for each
39 standard, an explanation of any failure to meet a standard with plans
40 to improve performance, and a section for input from employees of
41 telephone companies and certified telecommunications providers,
42 including a specific section for input from members of collective
43 bargaining units.

44 (b) Not later than [April 1, 2000] August 1, 2009, the department
45 shall, by regulations adopted pursuant to chapter 54, establish and
46 enforce comprehensive performance standards and performance based
47 reporting requirements for functions provided by a telephone
48 company to a certified telecommunications provider, including, but
49 not limited to, telephone company performance relating to customer
50 ordering, preordering, provisioning, billing, maintenance and repair, [.]
51 Such service standards shall be sufficiently comprehensive to ensure
52 that a telephone company meets its obligations under 47 USC 251.
53 Such regulations may also contain provisions the] number portability

54 and preparing infrastructure for additional facilities. The department
 55 [deems] shall also take all actions necessary to prevent anticompetitive
 56 actions by any telephone company or certified telecommunications
 57 provider. No company providing wholesale service in the state shall
 58 require any customer to waive such customer's rights to participate in
 59 department proceedings.

60 (c) After failing to meet any standard established pursuant to
 61 subsection (a) or (b) of this section for any consecutive two-month
 62 period or any three months in a twelve-month period, the department
 63 shall impose a significant daily fine equal to a standard percentage of
 64 the company's annual gross revenue earned in the state. The fine shall
 65 continue to be assessed until the company meets the standard. The
 66 department shall transfer the proceeds from such fines to the General
 67 Fund. Any company providing wholesale service that causes its
 68 wholesale customer to fail to meet the retail standards established
 69 pursuant to subsection (a) of this section shall pay any fines incurred
 70 by such wholesale customer pursuant to this subsection.

This act shall take effect as follows and shall amend the following sections:

Section	<i>from passage</i>	16-247p
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Statement of Legislative Commissioners:

In subsection (b), "infrastructure make-ready" was changed to "preparing infrastructure for additional facilities" for clarity.

ET *Joint Favorable Subst.*